

United States District Court
WESTERN DISTRICT OF WASHINGTON

JUDGMENT IN A CIVIL CASE

STORMANS, INCORPORATED, et al,

Plaintiffs,

CASE NO. C07-5374 RBL

v.

MARY SELECKY, Secretary of the
Washington State Department of Health, et al,
Defendants

[(] **Decision by Court.** This action came under consideration before the Court. The issues have been considered and a decision has been rendered.

THE COURT HAS ORDERED THAT

1. WAC 246-869-010, WAC 246-869-150, and WAC 246-863-095 (“Regulations”), as applied to Plaintiffs, are hereby DECLARED unconstitutional under the Free Exercise Clause of the First Amendment to the United States Constitution;

2. The Regulations, as applied to Plaintiffs, are hereby DECLARED unconstitutional under the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution;

3. Defendants Al Linggi, Rebecca Hille, Gary Harris, George Roe, Vandana Slatter, Rosemarie Duffy, and Dan Connelly (“Defendants”), and their employees, agents, and successors in office, are hereby

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permanently ENJOINED and RESTRAINED from enforcing the Regulations against Plaintiffs, or against the pharmacies in which Plaintiffs have an ownership or managerial interest, or where Plaintiffs are employed, insofar as those Regulations would prohibit Plaintiffs from declining based on their religious beliefs to stock or deliver Plan B or *ella* and instead providing a referral to a nearby pharmacy or other location that provides Plan B or *ella*;

4. This Court shall retain jurisdiction of this matter for all proceedings involving the interpretation, enforcement or amendment of this Permanent Injunction.

Dated: February 23, 2012

WILLIAM M. McCOOL
Clerk

s/Jean Boring
(By) Deputy Clerk